UNITED
NATIONS

CEDAW

Convention on the Elimination of All Forms of Discrimination against Women

Distr.
GENERAL

CEDAW/C/SR.238
3 February 1994

ORIGINAL: ENGLISH

COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN

Thirteenth session

SUMMARY RECORD OF THE 238th MEETING

Held at Headquarters, New York,
on Wednesday, 19 January 1994, at 3 p.m.

Chairperson: Ms. CORTI

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The meeting was called to order at 3.10 p.m.

IMPLEMENTATION OF ARTICLE 21 OF THE CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN (CEDAW/C/1994/4)

WAYS AND MEANS OF EXPEDITING THE WORK OF THE COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN (CEDAW/C/1994/6)

CONTRIBUTION OF THE COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN TO INTERNATIONAL CONFERENCES (CEDAW/C/1994/7)

PROVISIONAL AGENDA FOR THE FOURTEENTH SESSION

1. Mr. MATHIASON (Deputy Director, Division for the Advancement of Women) drew attention to document CEDAW/C/1994/4, which contained an analysis of articles 7 and 8 of the Convention. Since that report had been prepared during the transitional period, it reflected the research and deliberations of the Committee's sessions held after 1990. Part II featured three aspects: the participation of women in legislative bodies and policy formulation at the national level; the participation of women in international decision-making; and women in the military.

2. The report entitled "Ways and means of expediting the work of the Committee", contained in document CEDAW/C/1994/6, dealt with issues related to article 17 of the Convention on the Elimination of All Forms of Discrimination against Women, and took into account the findings of other treaty bodies and other related forums. It was important to note that the Committee was the only treaty body whose meeting time was limited by the treaty itself. The report pointed out that under the current procedure, it would be impossible to catch up with the backlog in the consideration of reports from States parties. Furthermore, if the optional protocol were to be adopted, it would increase the need for meeting time.

3. He also drew attention to the report entitled "Outline of the Compendium on the implementation of the Convention on the Elimination of All Forms of Discrimination against Women", contained in document CEDAW/C/1994/7, which set out plans for an update of the Compendium prepared on the occasion of the World Conference to Review and Appraise the Achievements of the United Nations Decade for Women, which would be presented to the Fourth World Conference on Women. It was important to note that Part B presented an approach to the analysis of substantive developments in the implementation of articles of the Convention. Articles 2 and 11 were set out as examples; similar material existed for all other articles too. Since that Compendium would be distributed at the Conference, and possibly also issued as a sales item, in the view of the Secretariat it should not simply discuss the Convention but should contain information on the history of the Committee as well.

4. Concerning the provisional agenda for the fourteenth session, he drew the Committee's attention to document CEDAW/C/1994/6/Add.1, which contained a list of those countries that had submitted reports to the Committee up to the date of publication. Reports had subsequently been received by three additional countries.

STATEMENT BY THE CHIEF OF THE NEW YORK OFFICE OF THE CENTRE FOR HUMAN RIGHTS

5. Ms. STAMATOPOULOU (Chief, New York Office of the Centre for Human Rights) said that within the space of a mere two years, a large number of non-governmental organizations active in the field of women's rights and human rights had succeeded in establishing a high profile for their concerns, especially on the question of violence against women. Their approach involved strongly-voiced campaigns, organized action, coordinated lobbying, and organizing so-called satellite meetings that focused on various aspects of human rights for women. Over 3,500 of the 10,000 persons who attended the Conference were representatives of international as well as grass-roots non-governmental organizations.

6. The findings of a global tribunal on violations of the human rights of women which was held simultaneously with the Conference, were presented to the plenary session, along with a petition entitled "Women's rights are human rights", containing over 130,000 signatures. The United Nations Development Fund for Women (UNIFEM) had, in cooperation with a number of non-governmental organizations, hosted a daily women's caucus, which formulated strategies and platforms for action on the human rights of women.

7. It was of great significance that the Vienna Declaration and Programme of Action attributed a central role to the human rights of women. Agreement had been rapidly reached by consensus on the section heading entitled "The equal status and human rights of women".

8. That document text urged, firstly that the full and equal enjoyment by women of all human rights should be a priority objective of Member States and the United Nations alike, that that objective should be integrated into the mainstream of United Nations human rights activity and that the full participation of women as both agents and beneficiaries in the development process should be encouraged. It called for the eradication of all forms of discrimination against women, and set a goal of universal ratification of the Convention on the Elimination of All Forms of Discrimination against Women by the Year 2000. Incorporating the Committee's recommendation that the broader issue of reservations to human rights conventions should be placed on the agenda for the conference, it called for ways and means of addressing the large number of reservations to the convention, and urged States to withdraw reservations that were contrary to the Convention's object and purpose or otherwise incompatible with international treaty law.

9. The Vienna Declaration called on treaty monitoring bodies to make use of gender-specific data in their deliberations and to adopt new procedures reinforcing their commitment to the equality and human rights of women. It had instructed the Committee and the Commission on the Status of Women to quickly examine the possibility of introducing the right of petition through the preparation of an optional protocol to the Convention.

10. It also stressed the importance of working toward the elimination of violence against women, sexual harassment, exploitation and trafficking in women, gender bias in the administration of justice, and towards the eradication of conflicts that might arise between the rights of women and the harmful effects of certain traditional practices, as well as of cultural prejudice and

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religious extremism. Furthermore, it called on the General Assembly to adopt the draft declaration on the elimination of violence against women and urged States to combat violence against women in accordance with the provisions of that resolution. Finally, it commended the decision of the Commission on Human Rights to appoint a special rapporteur on violence against women.

11. Also significant was the recommendation by the World Conference that a United Nations decade for human rights education should be proclaimed; a plan of action for that initiative, which enjoyed extraordinary support from non-governmental organizations involved in the women's human rights movement and in human rights education was expected to be submitted to the General Assembly at its forty-ninth session.

12. With a view to the full integration of the human rights of women into the mainstream of United Nations activities in the field of human rights, the Vienna Declaration recommended that steps should ben taken to increase cooperation among the Commission on the Status of Women, the Commission on Human Rights, the Committee on the Elimination of All Forms of Discrimination against Women, UNIFEM and other United Nations agencies and called for enhanced cooperation between the Division for the Advancement of Women and the Centre for Human Rights. Those two bodies, along with other United Nations bodies, should consider it their responsibility to ensure that the United Nations addressed violations of women's human rights, including gender-specific abuses.

13. Significantly, in its recommendations to the World Conference on Human Rights, the Committee had suggested that the rights guaranteed by its Convention should be examined in relationship to those guaranteed by other human rights instruments. Several observations should be made in that regard. Firstly, the Human Rights Committee had always attached great importance to the monitoring of the compliance by States parties with the provisions of the International Covenant on Civil and Political Rights, and in general, to the promotion of the rights of women. Similarly, the Committee on Economic, Social and Cultural Rights paid particular attention to measures undertaken by States parties to ensure equal rights for women and had recently revised its reporting guidelines to request gender-specific data from States parties.

14. Taking into consideration the recommendations of the World Conference on Human Rights, and in accordance with Commission on Human Rights resolution 1993/46, entitled "Integrating the rights of women into the human rights mechanisms of the United Nations", the Centre for Human Rights had prepared a plan for the implementation of the Vienna Declaration and Programme of Action which would serve as a basis for the implementation of the Vienna Declaration.

15. The Centre intended to establish a focal point on women's issues in the Office of the Assistant Secretary-General for Human Rights, to ensure that all relevant bodies and mechanisms developed gender-desegregated data and were fully apprised of the ways in which the rights of women were violated. That focal point, along with all other branches and sections of the Centre for Human Rights, was fully willing to cooperate with the Committee in implementing the Vienna Declaration.

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16. Certain developments of interest to the Committee had occurred in other treaty bodies. Firstly, the Human Rights Committee had urgently requested Angola and Burundi to submit special reports concerning the violation of human rights protected under the International Covenant on Civil and Political Rights; those reports would be considered shortly. Secondly, the Committee on the Elimination of Racial Discrimination (CERD) had reviewed the situation in Bosnia and Herzegovina, Croatia and the Federal Republic of Yugoslavia, and had in November 1993 sent a goodwill mission to Yugoslavia to help promote a dialogue for the peaceful solution of issues concerning respect for human rights in Kosovo. Thirdly, the Committee against Torture (CAT) had determined in November 1993 to include in its annual report to States parties and to the General Assembly a summary account of a confidential procedure undertaken against Turkey.

17. Turning to other recent activities of note, she stated that the Human Rights Committee had adopted a general comment concerning freedom of thought, conscience and religion and had begun preliminary work on draft general comments relating to articles 25 and 27 of the International Covenant on Civil and Political Rights. It had also decided to draft a general comment which would address issues relating to reservations made on ratification or accession.

18. The CHAIRPERSON expressed disappointment at the fact that, although it had issued an in-depth recommendation on the subject, the Committee had been excluded from the world-wide debate, and from expert group meetings, on violence against women. The Committee was a human rights treaty body and should be treated in the same way as other mainstream human rights treaty bodies.

19. Ms. SCHOPP-SCHILLING said that she was becoming very impatient at the lack of cooperation among United Nations bodies dealing with the same issues. The Centre for Human Rights should inform the Committee if anyone had been designated in the other human rights treaty bodies to learn about the Committee's work.

20. Ms. TALLAWY said that, having succeeded in getting a reference to the need for the equal status of women and the human rights of women to be integrated into the mainstream of United Nations activity included in the Vienna Declaration and Programme of Action (A/CONF.157/23, para. 37), the Committee should now concentrate on implementation of the Declaration. She agreed that cooperation between the Centre for Human Rights, the Division for the Advancement of Women and the Committee must be improved, and asked the secretariat to outline the steps it planned to take to ensure ongoing cooperation between the Committee, the Commission on the Status of Women, the Commission on Human Rights and other treaty bodies. Members of the Committee must be designated to attend meetings of those other bodies. Consultations could be held with the United Nations Development Programme and the United Nations Development Fund for Women (UNIFEM) in order to organize training courses to help any countries that so desired to prepare their reports. In addition, experts could be sent to countries that had made reservations to the Convention in order to try to overcome such reservations.

21. Concerning the focal points, their mandate and work should be drawn up in close consultation with the Division for the Advancement of Women in order to

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ensure a good working relationship right from the start. In addition, the Committee needed time to prepare the optional protocol to the Convention on the Elimination of All Forms of Discrimination against Women. Finally, she said that the excellent work done by non-governmental organizations in connection with the Vienna World Conference on Human Rights should be recognized and more information should be provided on the participation of non-governmental organizations in the work of other treaty bodies.

22. Ms. BUSTELO said that while she supported the comments made by the previous speakers concerning cooperation - or rather the lack of cooperation - with the Centre for Human Rights and the Division on the Advancement of Women, the Committee should concentrate rather on the future. She agreed that, in order for the Committee to be able to contribute to a possible draft optional protocol, a meeting of experts would have to be organized and that the cooperation of both the Centre for Human Rights and the Division for the Advancement of Women would be essential. Moreover, any additional information that the Committee could receive about the participation of non-governmental organizations in the work of other committees and treaty bodies would be helpful.

23. Ms. AOUIJ said that she strongly supported the idea of coordination with all bodies dealing with human rights and thus directly with the rights of women. Perhaps members of the Committee could be designated to attend meetings of those other committees in order to explain not only the Committee's work but also the specific problems facing women. They could also participate in fact-finding missions in the field. She, too, shared the Chairperson's anger concerning the exclusion of the Committee from key meetings, particularly those on violence.

24. Ms. ILIĆ said that the situation that the Committee was currently trying to overcome had arisen because human rights had traditionally been regarded as separate from women's rights. She was confident that the Committee's suggestions on ways of improving cooperation between the Committee and the Centre for Human Rights would be transmitted to the appropriate authorities.

25. Ms. GARCIA-PRINCE said that the Committee could take pride in the fact that its Convention had been taken as the frame of reference for the platform of action for the forthcoming Fourth World Conference on Women to be held in Beijing. Attention had also been drawn to the importance of dealing with women's issues within the context of human rights. At the international level, it was increasingly being acknowledged that human rights should form the basic point of reference. Given that reality the Centre for Human Rights could not ignore the Committee, which was the legitimate body to deal with matters relating to the human rights of women. A major effort was needed to make the relationship between the Division for the Advancement of Women and the Centre for Human Rights more operational. It must also be recognized once and for all that the Committee must be dealt with on a completely equal footing with other bodies.

26. Ms. STAMATOPOULOU (Chief, New York Office of the Centre for Human Rights) said that over the past couple of months there had been a number of high-level contacts between the heads of the Centre for Human Rights and the Division for the Advancement of Women with a view to increasing cooperation between the two bodies.

27. The focal point within the Centre would have a great deal of work to do. One of the most important recommendations to emerge from the World Conference was the recommendation that women's human rights be integrated in all treaty-monitoring bodies and also in mechanisms of the Commission on Human Rights; that meant that all special rapporteurs and all people going to different countries on fact-finding missions would have to find out about women's human rights and make contact with women's non-governmental organizations. There was also a lot of work to be done in the area of the studies produced by the Centre since they would have to include gender-specific data.

28. The reason the Centre had not included training about the Convention in its programme of advisory services was that it did not want to duplicate the work being carried out by the Division for the Advancement of Women. The Centre's needs assessment missions to the various countries to which it provided advisory services included needs assessment studies of women's human rights; the training provided by the Centre therefore included that aspect. Similarly, the training courses in the administration of justice which were provided by the Centre included information on violations of women's human rights and on international standards in that area.

29. She did not have any information about future publications; however, information on women's human rights would appear shortly in the human rights fact sheet series.

30. Regarding the designation of focal points, she said that the Committee on the Rights of the Child was the only committee that had designated a specific person to follow up on the Committee's work. However, the Committee on Economic, Social and Cultural Rights used information submitted by States parties to the Convention on the Elimination of All Forms of Discrimination against Women in its work and also took the Committee's findings into account.

31. With regard to the input of non-governmental organizations, both the Committee on the Rights of the Child and the Committee on Economic, Social and Cultural Rights had taken steps to involve non-governmental organizations in their work and had set aside time for them to make oral statements. NGOs also provided materials in relation to the consideration of country reports.

32. Ms. TALLAWY said that the Committee would depend heavily on the focal point in the Centre to promote the true integration of women's issues in human rights; it was therefore critical that the focal point should have the necessary authority, resources and personnel.

33. On the question of advisory services, it was important that the advisory services provided within the Centre should not be confused with those of the Commission on the Status of Women or the Division for the Advancement of Women because the range of women's issues was very broad.

34. Ms. ABAKA said that training in women's human rights should not be restricted to members of the legal profession but should be made available to members of the medical profession and teachers.

35. Mr. MATHIASON (Deputy Director, Division for the Advancement of Women) said that there was unquestionably a renewed desire to cooperate on the part of the Division and the Centre; moreover, being part of the same secretariat, they were obligated to do so. However, the Committee's report was considered in the General Assembly under the item on the advancement of women whereas the reports of all other treaty bodies were considered under the item of human rights. That meant in practical terms that, because of the order of business in the General Assembly, the reports were not always considered together or in the same way. At its forty-eighth session, the General Assembly had adopted a resolution on the Vienna Declaration and Programme of Action, but that resolution had not dealt explicitly with the sections referring to the Committee; the latter had been taken up in resolution 48/108 on the advancement of women. The Division had not been allocated additional resources to carry out its tasks under that resolution, although the Centre for Human Rights had been given a rather large increase in resources.

36. From the very outset the United Nations had had a programme of advisory services under the regular programme of technical cooperation, and for many years the Division had received an allotment from which it had provided on average one or two subregional, regional or global training courses on the Convention; however, it no longer received an allocation from the regular programme of technical cooperation because it was part of a Department which had no operational attributions. If it was to continue to provide subregional training it would have to do so in close cooperation with the Centre, probably using funds from the regular programme of technical cooperation earmarked for the Centre.

37. Ms. STAMATOPOULOU (Chief, New York Office of the Centre for Human Rights) said that she fully agreed that if the focal point on women was to be meaningful, it had to have political power and resources; it was for that reason that the Assistant Secretary-General for Human Rights had decided to place the focal point within his own office. Despite the efforts made by the Centre, the statement on programme budget implications adopted by the General Assembly resolution on the World Conference on Human Rights contained no reference to women.

38. The CHAIRPERSON said that it was hard to understand why the Committee was not given equal treatment with other treaty bodies in respect of budget appropriations. All the other treaty bodies met two or three times a year. The Committee met only once a year, yet it was second to last in terms of budget appropriations.

39. Ms. STAMATOPOULOU (Chief, New York Office of the Centre for Human Rights) said that similar frustration had been expressed in other human rights treaty bodies, and some of those bodies had been able to make special arrangements. The Committee could ask the Secretary-General to provide more sessions, on an exceptional basis.

40. Ms. SCHOPP-SCHILLING said that if the Committee's reports and those of the other human rights treaty bodies were considered under two different items, she did not see how there could be an understanding that women's rights were part and parcel of human rights. Human rights were considered to be fundamental and unchanging whereas the very terminology of the advancement of women implied development and change. She asked whether anything was going to be done to change that situation or, failing that, to make it clear to Member States and the General Assembly that the same issues were involved.

41. Ms. ILIĆ said that that issue was not new and had been considered several times in different bodies. Currently, the United Nations structure for women was based on two main pillars, the Commission on the Status of Women and the Committee. Both pillars were crucial and the Committee must be very careful before proposing anything that might disturb that balance.

42. Ms. TALLAWY said that the Commission on Human Rights should take action to ensure that the focal point in the Centre for Human Rights would have the necessary authority and resources.

43. The momentum gained after the World Conference in respect of the integration of women's rights within overall human rights should not be lost because of bureaucratic considerations.

44. Ms. BUSTELO said that even if the Division did not have sufficient financial resources to carry out all its tasks, it could try to increase its efficiency. Members of the Committee could help the Division in its training programmes, and that would be cheaper than using external consultants. The process of integrating the perspective of women in human rights did not need to cost a great deal of money. The greatest need was for a change in mentalities.

45. Mr. MATHIASON (Deputy Director, Division for the Advancement of Women), referring to the question raised by Ms. Schopp-Schilling, said that it had been decided that as far back as 1946 the Commission on the Status of Women should be a separate body. It had been feared that, if women's rights were tied to human rights in general, the realization of women's rights might be delayed and, moreover, it had been felt that, although women's human rights were no different from men's human rights, women clearly had less enjoyment of those rights and that something special had to be done.

46. On the question of funding, the Committee existed as a creation of a multilateral treaty, the Convention, which had been approved by the General Assembly; the Committee's existence was therefore independent of the Secretariat. The Secretary-General had an obligation under article 17 of the Convention to provide services. There were two components of the Committee's budget.

47. It was the General Assembly which determined the budget for the Committee's meetings. The amounts were determined by the number of members of the body in question and the duration of its session. Funding was provided to enable the presiding officer to attend meetings of heads of human rights treaty bodies. Other travel mandated by the Committee was usually funded from the savings of that treaty body. A second source of funding was the provision of allocations for secretariat services, such as interpreters and other support staff. The

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Secretariat always sought to ensure that such services were used with maximum efficiency. He recalled that no provision had been made for programme budget implications upon the adoption of the Convention and that the cost of its implementation had been absorbed by the Secretariat. Since then, however, the Secretariat's resources had not kept pace with rising costs. He urged the Committee secretariat to communicate its own priorities to the Secretariat in order to ensure that the most appropriate choices were made.

48. In reply to a question from the Chairperson, he said that participation in the various types of conferences was funded differently. In the case of the World Conference on Human Rights, the cost of attendance by the presiding officers of human rights treaty bodies had been borne by the bodies themselves out of their own savings. With respect to the Fourth World Conference on Women, budgetary allocations had already been provided for the travel and per diem of each member of the Committee.

49. Ms. SCHOPP-SCHILLING said that, in view of the difficulty which the Organization was experiencing in achieving the agreed quotas of women in prominent positions within the system, the Division for the Advancement of Women might perhaps be justified in seeking funding for attendance at the Fourth World Conference on Women from within the Organization.

The discussion covered in the summary record ended at 6 p.m.